

Dear Mr VanBrakle

Attached please find in Word format an electronic version of the comments filed by American Trucking Associations, Inc regarding the above-captioned petition. An original and fifteen copies should arrive at the FMC tomorrow. We would be happy to receive service of the Commission's issuances in this proceeding through e-mail at psharma@trucking.org. Thank you.

Prasad Sharma

Assistant General Counsel and Corporate Counsel

American Trucking Associations, Inc

2200 Mill Road

Alexandria, VA 22314

(703) 838-1888 (ph)

(703) 683-3226 (fax)

psharma@trucking.org (e-mail)

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ORIGINAL

September 3, 2003

Mr. Bryant L. VanBrakle
Secretary
Federal Maritime Commission
800 North Capitol Street, N.W.
Washington, D.C. 20573-0001

RE: Petition No. P3-03

Dear Mr. VanBrakle:

American Trucking Associations, Inc. ("ATA") submits these comments in support of the Petition of United Parcel Service, Inc. for Exemption Pursuant to Section 16 of the Shipping Act of 1984 to Permit Negotiation, Entry and Performance of Service Contracts, FMC Petition No. P3-03 (the "Petition"). ATA is a united federation of motor carriers, state trucking associations, and national trucking conferences created to promote and protect the interests of the trucking industry. Its membership includes more than 2,000 trucking companies and industry suppliers of equipment and services. Directly and through its affiliated organizations, ATA represents over 34,000 companies and every size, type and class of motor carrier operation, including a number of motor carriers that provide service, or are contemplating providing service, as an ocean transportation intermediary and non-vessel-operating common carrier, as defined in the Shipping Act of 1984. United Parcel Service, Inc. ("UPS") is a member of ATA.

ATA agrees with the arguments set forth in the UPS Petition regarding the changes in the ocean freight industry since enactment of the Ocean Shipping Reform Act of 1998 and the benefits which the proposed exemption would extend to shippers. UPS clearly has demonstrated in its Petition that it is a well-capitalized company capable of performing volume-based contracts. By granting the exemption, the Commission would be adhering to the legislative guidance provided by Congress while enacting the Ocean Shipping Reform Act of 1998. Further, the Commission would be leveling the important global commerce playing field for an established U.S. transportation service provider.

More and more asset-based trucking companies are providing ocean transportation intermediary and non-vessel-operating common carrier services to provide shippers seamless transportation and logistics support. In order to allow American asset-based companies, such as UPS, to effectively compete in the global commerce marketplace, the Commission should grant the exemption sought in Petition No. P3-03. The Commission should, in the future, consider exemptions for similarly situated American trucking companies that petition the Commission.

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For the foregoing reasons, ATA respectfully requests the Commission to act favorably on the UPS Petition.

Respectfully submitted,

Prasad Sharma
Assistant General Counsel

